

INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application No.	09/111,604
		Filing Date	July 7, 1998
		First Named Inventor	Mohamed K. Diab
		Art Unit	3768
<i>(Multiple sheets used when necessary)</i>		Examiner	Eric Frank Winakur
SHEET 1 OF 19		Attorney Docket No.	MASIMO.007C3

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
1	3,659,591	05/1972	Doll et al		
2	3,991,277	11/1976	Hirata		
3	3,998,550	12/1976	Konishi et al.		
4	4,167,331	09/1979	Nielsen		
5	4,197,836	04/1980	Wagner et al.		
6	4,238,746	12/1980	McCool et al.		
7	4,243,935	01/1981	McCool et al.		
8	4,266,554	05/1981	Hamaguri		
9	4,305,398	12/1981	Sawa		
10	4,446,871	05/1984	Imura		
11	4,519,396	05/1985	Epstein et al.		
12	4,586,513	05/1986	Hamaguri		
13	4,617,589	10/1986	Weckenbrock		
14	4,623,248	11/1986	Sperinde		
15	4,694,833	09/1987	Hamaguri		
16	4,781,200	11/1988	Baker		
17	4,796,636	01/1989	Branstetter et al.		
18	4,800,885	01/1989	Johnson		
19	4,807,631	02/1989	Hersh et al.		
20	4,819,646	04/1989	Cheung et al.		
21	4,858,199	08/1989	Griffith		
22	4,859,056	08/1989	Prosser et al.		
23	4,867,165	09/1989	Noller et al.		
24	4,883,356	11/1989	deMey, II		
25	4,897,162	01/1990	Lewandowski et al.		
26	4,913,150	04/1990	Cheung et al.		
27	4,942,877	07/1990	Sakai et al.		
28	4,960,128	10/1990	Gordon, et al.		

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29		4,964,408	10/1990	Hink et al.	
30		5,003,977	10/1990	Suzuki et al.	
31		5,042,499	08/1991	Frank et al.	
32		5,069,213	12/1991	Polczynski	
33		5,078,136	01/1992	Stone et al.	
34		5,152,296	10/1992	Simons	
35		5,154,176	10/1992	Kanda	
36		5,163,438	11/1992	Gordon, et al.	
37		5,170,791	12/1992	Boos, et al.	
38		5,188,108	02/1993	Secker	
39		5,190,038	03/1993	Polson, et al	
40		5,190,047	03/1993	Odagiri et al.	
41		5,218,962	06/1993	Mannheimer	
42		5,259,381	11/1993	Cheung et al.	
43		5,285,784	02/1994	Seeker	
44		5,299,120	03/1994	Kaestle	
45		5,337,744	08/1994	Branigan	
46		5,341,805	08/1994	Stavridi, et al.	
47		5,355,880	10/1994	Thomas et al.	
48		5,355,882	10/1994	Ukawa, et al.	
49		5,368,026	11/1994	Swedlow et al.	
50		5,377,676	Jan-95	Vari, et al.	
51		5,379,238	Jan-95	Stark	
52		5,431,170	07/1995	Mathews	
53		5,452,717	09/1995	Branigan, et al.	
54		5,456,252	10/1995	Vari, et al.	
55		5,458,128	10/1995	Pulanyi et al.	
56		5,482,036	01/1996	Diab et al.	

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57		5,490,505	02/1996	Diab et al.	
58		5,494,043	02/1996	O'Sullivan, et al.	
59		5,533,511	07/1996	Kaspari, et al.	
60		5,561,275	Oct-96	Savage, et al.	
61		5,562,002	10/1996	Lalin	
62		5,575,284	11/1996	Athan, et al.	
63		5,590,649	01/1997	Caro, et al.	
64		5,602,924	02/1997	Durand et al.	
65		5,630,413	05/1997	Thomas et al.	
66		5,632,272	05/1997	Diab et al.	
67		5,638,816	06/1997	Kiani-Azarbajayjany, et al.	
68		5,638,818	06/1997	Diab, et al.	
69		5,645,440	07/1997	Tobler, et al.	
70		5,662,105	09/1997	Tien	
71		5,685,299	11/1997	Diab et al.	
72		5,743,262	04/1998	Lepper, Jr., et al.	
73		5,758,644	06/1998	Diab, et al.	
74		5,760,910	06/1998	Lepper, Jr., et al.	
75		5,769,785	06/1998	Diab et al.	
76		5,782,757	07/1998	Diab, et al.	
77		5,785,659	07/1998	Caro, et al.	
78		5,791,347	08/1998	Flaherty, et al.	
79		5,800,348	09/1998	Kaestle	
80		5,810,734	09/1998	Caro, et al.	
81		5,823,950	10/1998	Diab, et al.	
82		5,830,131	11/1998	Caro, et al.	
83		5,830,137	11/1998	Scharf	
84		5,833,618	11/1998	Caro, et al.	

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85		5,842,981	12/1998	Larsen et al.	
86		5,860,919	01/1999	Kiani-Azarbajany, et al.	
87		5,890,929	04/1999	Mills, et al.	
88		5,904,654	05/1999	Wohltmann, et al.	
89		5,919,134	07/1999	Diab	
90		5,934,277	08/1999	Mortz	
91		5,934,925	08/1999	Tobler, et al.	
92		5,940,182	08/1999	Lepper, Jr., et al.	
93		5,995,855	11/1999	Kiani, et al.	
94		5,997,343	12/1999	Mills, et al.	
95		6,002,952	12/1999	Diab, et al.	
96		6,011,985	01/2000	Athan	
97		6,011,986	01/2000	Diab, et al.	
98		6,027,452	02/2000	Flaherty, et al.	
99		6,036,642	03/2000	Diab et al.	
100		6,045,509	04/2000	Caro, et al.	
101		6,067,462	05/2000	Diab, et al.	
102		6,081,735	06/2000	Diab et al.	
103		6,088,607	07/2000	Diab, et al.	
104		6,110,522	08/2000	Lepper, Jr., et al.	
105		6,122,535	09/2000	Kaestle	
106		6,124,597	09/2000	Shehada	
107		6,144,868	11/2000	Parker	
108		6,151,516	11/2000	Kiani-Azarbajany, et al.	
109		6,152,754	11/2000	Gerhardt, et al.	
110		6,157,850	12/2000	Diab et al.	
111		6,165,005	12/2000	Mills, et al.	
112		6,184,521	02/2001	Coffin, IV, et al.	

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113		6,206,830	03/2001	Diab et al.	
114		6,229,856	05/2001	Diab, et al.	
115		6,232,609	05/2001	Snyder, et al.	
116		6,236,872	05/2001	Diab et al.	
117		6,241,683	06/2001	Macklem, et al.	
118		6,253,097	06/2001	Aronow et al.	
119		6,256,523	07/2001	Diab, et al.	
120		6,263,222	07/2001	Diab et al.	
121		6,278,522	08/2001	Lepper, Jr., et al.	
122		6,280,213	08/2001	Tobler, et al.	
123		6,285,896	09/2001	Tobler, et al.	
124		6,321,100	11/2001	Parker	
125		6,330,468	12/2001	Scharf	
126		6,334,065	12/2001	Al-Ali, et al.	
127		6,343,224	01/2002	Parker	
128		6,349,228	02/2002	Kiani, et al.	
129		6,360,114	03/2002	Diab, et al.	
130		6,368,283	04/2002	Xu, et al.	
131		6,371,921	04/2002	Caro, et al.	
132		6,377,829	04/2002	Al-Ali	
133		6,388,240	05/2002	Schulz, et al.	
134		6,397,091	05/2002	Diab, et al.	
135		6,430,525	08/2002	Weber, et al.	
136		6,438,399	08/2002	Kurth	
137		6,463,311	10/2002	Diab	
138		6,470,199	10/2002	Kopotic, et al.	
139		6,496,711	12/2002	Athan, et al.	
140		6,501,975	12/2002	Diab, et al.	

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141		6,505,059	01/2003	Kollias, et al.	
142		6,515,273	02/2003	Al-Ali	
143		6,519,487	02/2003	Parker	
144		6,525,386	02/2003	Mills, et al.	
145		6,526,300	02/2003	Kiani, et al.	
146		6,541,756	04/2003	Schulz, et al.	
147		6,542,764	04/2003	Al-Ali, et al.	
148		6,580,086	06/2003	Schulz, et al.	
149		6,584,336	06/2003	Ali, et al.	
150		6,595,316	07/2003	Cybulski et al.	
151		6,597,932	07/2003	Tian et al.	
152		6,597,933	07/2003	Kiani, et al.	
153		6,606,511	08/2003	Ali, et al.	
154		6,631,281	10/2003	Kastle	
155		6,632,181	10/2003	Flaherty, et al.	
156		6,639,668	10/2003	Trepagnier, Pierre	
157		6,640,116	10/2003	Diab	
158		6,643,530	11/2003	Diab, et al.	
159		6,650,917	11/2003	Diab et al.	
160		6,654,623	11/2003	Kastle	
161		6,654,624	11/2003	Diab, et al.	
162		6,658,276	12/2003	Diab, et al.	
163		6,661,161	12/2003	Lanzo et al.	
164		6,671,531	12/2003	Al-Ali, et al.	
165		6,678,543	01/2004	Diab, et al.	
166		6,684,090	01/2004	Ali, et al.	
167		6,684,091	01/2004	Parker	
168		6,697,656	02/2004	Al-Ali	

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169		6,697,657	02/2004	Shehada, et al.	
170		6,697,658	02/2004	Al-Ali	
171		6,699,194	03/2004	Diab, et al.	
172		6,701,170	03/2004	Stetson	
173		6,714,804	03/2004	Al-Ali, et al.	
174		6,721,582	04/2004	Trepagnier, et al.	
175		6,721,585	04/2004	Parker	
176		6,725,074	04/2004	Kastle	
177		6,725,075	04/2004	Al-Ali	
178		6,728,560	04/2004	Kolllias, et al.	
179		6,735,459	05/2004	Parker	
180		6,745,060	06/2004	Diab et al.	
181		6,760,607	07/2004	Al-Ali	
182		6,770,028	08/2004	Al-Ali, et al.	
183		6,771,994	08/2004	Kiani, et al.	
184		6,792,300	09/2004	Diab, et al.	
185		6,813,511	11/2004	Diab, et al.	
186		6,816,741	11/2004	Diab	
187		6,822,564	11/2004	Al-Ali	
188		6,826,419	11/2004	Diab, et al.	
189		6,830,711	12/2004	Mills, et al.	
190		6,850,787	02/2005	Weber, et al.	
191		6,850,788	02/2005	Al-Ali	
192		6,852,083	02/2005	Caro, et al.	
193		6,861,639	03/2005	Al-Ali	
194		6,898,452	05/2005	Al-Ali et al.	
195		6,920,345	07/2005	Al-Ali et al.	
196		6,931,268	08/2005	Kiani-Azarbajany et al.	

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197		6,934,570	08/2005	Kiani et al.	
198		6,939,305	09/2005	Flaherty et al.	
199		6,943,348	09/2005	Coffin IV	
200		6,950,687	09/2005	Al-Ali	
201		6,961,598	11/2005	Diab	
202		6,970,792	11/2005	Diab	
203		6,979,812	12/2005	Al-Ali	
204		6,985,764	01/2006	Mason et al.	
205		6,993,371	01/2006	Kiani et al.	
206		6,996,427	02/2006	Ali et al.	
207		6,999,904	02/2006	Weber et al.	
208		7,003,338	02/2006	Weber et al.	
209		7,003,339	02/2006	Diab et al.	
210		7,015,451	02/2006	Dalke et al.	
211		7,024,233	04/2006	Ali et al.	
212		7,027,849	04/2006	Al-Ali	
213		7,030,749	04/2006	Al-Ali	
214		7,039,449	05/2006	Al-Ali	
215		7,041,060	05/2006	Flaherty et al	
216		7,044,918	05/2006	Diab	
217		7,067,893	06/2006	Mills et al.	
218		7,096,052	08/2006	Mason et al.	
219		7,096,054	08/2006	Abdul-Hafiz et al.	
220		7,132,641	11/2006	Schulz et al.	
221		7,142,901	11/2006	Kiani et al.	
222		7,149,561	12/2006	Diab	
223		7,186,966	03/2007	Al-Ali	
224		7,190,261	03/2007	Al-Ali	

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226		7,215,986	05/2007	Diab	
227		7,221,971	05/2007	Diab	
228		7,225,006	05/2007	Al-Ali et al.	
229		7,225,007	05/2007	Al-Ali	
230		7,239,905	07/2007	Kiani-Azarbayjany et al.	
231		7,245,953	07/2007	Parker	
232		7,254,429	08/2007	Schurman et al.	
233		7,254,431	08/2007	Al-Ali	
234		7,254,433	08/2007	Diab et al.	
235		7,254,434	08/2007	Schulz et al.	
236		7,272,425	09/2007	Al-Ali	
237		7,274,955	09/2007	Kiani et al.	
238		7,280,858	10/2007	Al-Ali et al.	
239		7,289,835	10/2007	Mansfield et al.	
240		7,292,883	11/2007	De Felice et al.	
241		7,295,866	11/2007	Al-Ali	
242		7,328,053	02/2008	Diab et al.	
243		7,332,784	02/2008	Mills, et al.	
244		7,340,287	03/2008	Mason et al.	
245		7,341,559	03/2008	Schulz et al.	
246		7,343,186	03/2008	Lamego et al.	
247		7,355,512	04/2008	Al-Ali	
248		7,356,365	04/2009	Schurman	
249		7,371,981	05/2008	Abdul-Hafiz	
250		7,373,193	05/2008	Al-Ali et al.	
251		7,373,194	05/2008	Weber et al.	
252		7,376,453	05/2008	Diab et al.	

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253		7,377,794	05/2008	Al Ali et al.	
254		7,377,899	05/2008	Weber et al.	
255		7,383,070	06/2008	Diab et al.	
256		7,415,297	08/2008	Al-Ali et al.	
257		7,428,432	09/2008	Ali et al.	
258		7,438,683	10/2008	Al-Ali et al.	
259		7,440,787	10/2008	Diab	
260		7,454,240	11/2008	Diab et al.	
261		7,467,002	12/2008	Weber et al.	
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SHEET 11 OF 19		First Named Inventor	Mohamed K. Diab
		Art Unit	3768
		Examiner	Eric Frank Winakur
		Attorney Docket No.	MASIMO.007C3

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Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
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Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
329		DE 3 234 388	9/16/1982	Brunner et al.	
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SHEET 15 OF 19		Attorney Docket No.	MASIMO.007C3

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405	Masimo Corp.'s Answer to Plaintiffs' Second Amended Complaint and Counterclaims, Demand for Jury Trial, dated Nov. 2, 2000.		
406	Masimo's Opposition to Defendants' Motion for Summary Judgment for Summary Judgment of Invalidity of Claim 19 of U.S. Patent No. 5,490,505, dated 9/21/00.		

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	407	Masimo's Trial Brief of Indefiniteness, dated 3/24/04.	
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	409	Masimo's Answer to Counterclaims to Nellcor's Third Amended Complaint for Patent Infringement; Demand for Jury Trial, dated Aug. 27, 2002.	
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	411	Nellcor's and Mallinckrodt's Amended and Supplemental Answer and Counterclaims to Masimo Corporation's First Amended Complaint in Case No. CV-01-7292 MRP (AJWx), dated 5/31/02.	
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	416	Nellcor's Response to Masimo's First Set of Interrogatories in the Consolidated Case to Mallinckrodt Inc. and Nellcor Puritan Bennett, Inc. (Nos. 1-8), dated 8/23/02.	
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	433	Tremper, Kevin et al. Advances in Oxygen Monitoring, pp. 137-153, 1987.	
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	435	United States Courts of Appeals for the Federal Circuit: Mallinckrodt, Inc. v. Masimo Corp., 147 F.App'x 158 (Fed. Cir. 2005).	
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	438	United States District Court--Civil Minutes, Case No. SA CV 99-1245 AHS (Anx), Masimo v. Mallinckrodt and Nellcor Puritan Bennett, Dated Oct. 4, 2000.	
	439	Widrow, B., Adaptive Noise Cancelling: Principles and Applications: Proceedings of the IEEE, vol. 63, No. 12, Dec. 1975.	
	440	Yelderman, M., et al., "Ecg Enhancement by Adaptive Cancellation of Electrosurgical Interference," pp. 1-21.	
	441	Yelderman, M., et al., "Sodium Nitroprusside Infusion By Adaptive Control", Adaptive Control vby Inverse Modeling, Conference Record: 12.sup.th Asilosor Conference 90 (1978).	
	442	Complaint for Patent Infringement, Masimo Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böblingen GMBH, (District of Delaware, Case No. 09-00080(JJF)), dated 2/3/09.	
	443	Defendant/Counterclaim-Plaintiff Philips Electronics North America Corporation Answer to Masimo's Counterclaims, Masimo Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böblingen GMBH, (District of Delaware, Case No. 09-00080(JJF)) dated August 3, 2009, pages 1-23.	

Examiner Signature	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

T¹ - Place a check mark in this area when an English language Translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application No.	09/111,604
<i>(Multiple sheets used when necessary)</i>		Filing Date	July 7, 1998
SHEET 19 OF 19		First Named Inventor	Mohamed K. Diab
		Art Unit	3768
		Examiner	Eric Frank Winakur
		Attorney Docket No.	MASIMO.007C3

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ¹
	444	Defendants' Answer and Philips Electronics North America Corporation's Amended Counterclaims to Masimo's First Amended Complaint, Masimo Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böblingen GMBH, (District of Delaware, Case No. 09-00080(JJF)) dated 4/21/10.	
	445	Defendants' Answer and Philips Electronics North America Corporation's Counterclaims to Masimo's First Amended Complaint, Masimo Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böblingen GMBH, (District of Delaware, Case No. 09-00080(JJF)) dated 6/15/09.	
	446	First Amended Complaint for Patent Infringement, Masimo Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böblingen GMBH, (District of Delaware, Case No. 09-00080(JJF)) dated 5/12/09.	
	447	Masimo's Answer to Philips' Amended Counterclaims, Masimo Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böblingen GMBH, (District of Delaware, Case No. 09-00080(JJF)) dated 5/10/10.	
	448	Masimo's Answer to Philips' Counterclaims, Masimo Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böblingen GMBH, (District of Delaware, Case No. 09-00080(JJF)) dated 7/9/09.	
	449	Philips Electronics North America Corporation's Answer to Masimo's Amended Counterclaims, Masimo Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böblingen GMBH, (District of Delaware, Case No. 09-00080(JJF)) dated 5/27/10.	
	450	Philips North America Corporation and Philips Medizin Systeme Böblingen GMBH's Seventh Supplemental Objections and Responses to Masimo Corporation's First Set of Interrogatories (NOS. 1-8), Masimo Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böblingen GMBH, (District of Delaware, Case No. 09-00080(JJF)) dated 6/30/10 (Redacted).	
	451	Copending U.S. Appl. No. 09/111,604, filed Jul. 7, 1998; (Masimo.007C3)	
	452	Copending U.S. Application No. 07/666,060, filed on March 7, 1991.	
	453	U.S. Appl. No. 07/666,060, filed Mar 7, 1991.	
	454	U.S. Appl. No. 09/110,542, filed Jul. 6, 1998.	
	455	U.S. Appl. No. 09/111,604, filed Jul. 7, 1998.	
	456	Patently Obvious™, "Intellectual Property Analysis of Masimo Inc. Patent Holdings, Masimo Corporation v. philips Electronics North America Corporation, et al. issued on November 4, 2010 via email in 9 pages.	

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